

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

CRP.No. 1341 of 1999(F)

REVN. PETITIONER/DECREE HOLDER:

**SHAJI, S/O KRISHNAN, THANADASSERY HOUSE,
MURINGOOR THEKKUMMURI VILLAGE,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.C.K.ABDUL RAHIM

RESPONDENTS/ JUDGMENT DEBTOR :

**VARGHESE, S/O PAILY, EDATHUKARAN HOUSE,
MURINGOOR THEKKUMMURI VILLAGE,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.K.G.BALASUBRAMANIAN

**THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 28/03/2007 , ALONG WITH CRP 1341/99 THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:**

M.N. KRISHNAN, J.

= = = = =

CRP 1341 of 1999

= = = = =

Dated this the 28th day of March, 2007.

REVISED ORDER

As per the order in R.P.517/00, the earlier order has been set aside. This is an unfortunate case where, in spite of compromising the matter at the 'Nyayalaya', the parties have restarted the litigation forgetting about the clear intention of Legal Services Authorities Act of 1987. But, it is their fate and I do not want to say anything more on that now.

2. An elaborate decree is drafted and it is submitted that there are certain points to be complied with for execution of the decree at the hands of the Court. On the other hand, the other side would submit that the decree is self-working and it has to be implemented as such. There are time limits fixed by the Court and the entire matter has to be reconsidered by the executing Court after taking into consideration of rival contentions of both the parties. Therefore, the C.R.P. is allowed and the order passed by the executing Court is set aside and the matter is remanded to the executing Court with a direction to consider the contentions of

CRP 1341 of 1999

-:Page numbers:-

both the parties after affording an opportunity of being heard and allowing them to adduce evidence in support of their respective contentions and dispose the matter within the frame work of Section 47 and Order 21 of CPC.

M.N. KRISHNAN, JUDGE.

ul/-

CRP 1341 of 1999

-:Page numbers:-

M.N. KRISHNAN, J.

= = = = =

CRP 1341 of 1999

= = = = =

REVISED ORDER

28th March, 2007.